IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADVANCEME, INC., **Plaintiff,** **v.** **RAPIDPAY LLC, FIRST FUNDS LLC, MERCHANT MONEY TREE, INC., REACH FINANCIAL LLC, and FAST TRANSACT, INC. d/b/a SIMPLE CASH,** **Defendants.**	§ § § § § § § § § § § § §	**CASE NO. 6:05-CV-424 (LED)-(JDL)**

DECLARATION OF MICHAEL N. EDELMAN IN SUPPORT OF PLAINTIFF ADVANCEME, INC.'S SUR-REPLY

I, Michael N. Edelman, declare as follows:

1. I am of counsel with the law firm of Paul, Hastings, Janofsky & Walker LLP, counsel for plaintiff AdvanceMe, Inc. ("AdvanceMe") in the above-referenced matter. I have personal knowledge of the following facts and, if called upon to do so, could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of Request for Extension-of-Time and Amendment for Application No. 09/356,711, filed July 12, 2004, in the United States Patent and Trademark Office.

3. Attached hereto as Exhibit B is a true and correct copy of a February 12, 2007 email from Joseph Gray, counsel for Defendants, attaching Defendants' Third Amended Invalidity Contentions. My office received this email at 5:39 p.m. Pacific Time.

Dockets.Justia.com

I declare the foregoing to be true and correct. Executed this 19th day of April, 2007, at Palo Alto, California.

/s/ Michael N. Edelman

Michael N. Edelman

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail this 19th day of April, 2007.

/s/ Michael N. Edelman

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